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Illinois Commerce Commission)	
On its Own Motion)	
-vs-)	
CAT Communications International, Inc.)	Docket No. 02-0313
)	
Citation for failure to maintain corporate)	
status.)	

BRIEF ON EXCEPTIONS OF
CAT COMMUNICATIONS INTERNATIONAL, INC.

INTRODUCTION

CAT Communications International, Inc. submits this Brief on Exceptions to the Administrative Law Judges' Proposed Order ("proposed order") in this matter.

On May 8, 2002, the Illinois Commerce Commission ("Commission") entered an Order in this docket citing CAT Communications International, Inc. ("CCI") for failure to maintain its corporate status with the Illinois Secretary of State. This Order was served on CCI on May 10, 2002. The Order directed CCI to appear at a hearing in Springfield, Illinois on May 28, 2002 to present evidence and to show cause why the Commission should not rescind or suspend CCI's certificate of service authority ("certificate") and take other appropriate action.

The May 8, 2002 Order stated that the Commission received notice from the Secretary of State that the CCI's certificate of authority to operate in Illinois had been revoked for failure to pay a franchise tax, license fee, or penalty required under the Business Corporation Act of 1983, 805 ILCS 5/1.01 *et seq.* Such notification required the Commission to institute proceedings for the revocation of the right to engage in any business under the Act or the suspension thereof until such time as the delinquent franchise tax, license fee, or penalty is paid.

This matter came up for hearing before a duly authorized Administrative Law Judge at the designated time and place. At the request of the CCI, this matter was continued to June 27, 2002. At the June 27, 2002 hearing counsel for the Commission Staff entered an appearance. In light of CCI's failure to appear, Staff recommended the Commission enter an order revoking CCI's certificate. At the end of the hearing the record was marked "Heard and Taken."

Exception: CCI's license was not revoked.

A letter dated May 8, 2002, the same date as the order filed by the Commission to revoke CCI's certificate, and attached hereto as an exhibit states that all fees had been satisfied and that CCI was licensed to transact business in the state of Illinois. For reasons unknown to CCI, CCI failed to receive the reinstatement letter and approval of CCI's application for reinstatement issued by the Office of the Secretary of State on May 8, 2002, in time to present it at the May 28, 2002 hearing. At the time of the May 28, 2002 hearing CCI was unaware that its license had been reinstated. After the May 28, 2002 hearing CCI confirmed via telephone conversation with the Secretary of State's office, that it was reinstated. CCI ordered a copy of the letter that has been attached as an exhibit. CCI, a corporation located in Roanoke, VA, attempted to join the June 27, 2002 hearing and present this information to the court via telephone but the hearing was already in progress when CCI called and CCI was not put through.

PROPOSED ALTERNATIVE LANGUAGE

For these reasons CCI respectfully requests that the proposed order be revised as follows:

The Commission, having reviewed the entire record, and having received CCI's confirmation via the attached exhibit stating that CCI was licensed to transact business in the state of Illinois at the time their order was filed, and being fully advised in the premises, is of the opinion and finds that the certificate granted to CCI should ~~be cancelled and revoked,~~ remain instated.

DATED: July 9, 2002

Respectfully submitted,

CAT Communications International, Inc.

By: Patricia M. Sheets

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